

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problem Mailbox.**



**PATENT APPLICATION**  
Docket #: 12637/30

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT : REZAI ET AL.  
SERIAL NO. : 10/603,243  
FILING DATE : June 24, 2003  
FOR : NEUROMODULATION DEVICE AND METHOD OF USING  
SAME  
GROUP ART UNIT : 3763

**REQUEST FOR UPDATED FILING RECEIPT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Office of Initial Patent  
Examination

Sir:

Attached is a copy of the official Filing Receipt which shows the incorrect information for the above-mentioned patent application. Please make the following corrections:

**In the Attorney Docket No.**

Replace "26336-10066" with -- 12637/30 --

**PATENT APPLICATION**  
**Docket #: 12637/30**

We attached a copy of the February 2, 2004 Filing Receipt which shows the correct information for the attorney docket number in red ink. Issuance of an updated/corrected filing receipt is respectfully requested.

Respectfully submitted,

Date: April 23 2004

  
\_\_\_\_\_  
Zeba Ali, Registration No. 51,392

KENYON & KENYON  
1500 K Street, N.W.  
Suite 700  
Washington, D.C. 20005  
Telephone: 202-220-4200  
Facsimile: 202-220-4201



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/603,243	06/24/2003	3763	440	26336-10068 12637/30	8	13	3

Kenyon & Kenyon  
Attn: Estelle Tsevdos  
One Broadway  
New York, NY 10004



CONFIRMATION NO. 5654

UPDATED FILING RECEIPT



\*OC000000011979070\*

Date Mailed: 02/26/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Ali Rezai, Bratenahl, OH;  
John D. Hall, Mayfield Heights, OH;  
Barry D. Kuban, Avon Lake, OH;  
Ken Baker, Chesterland, OH;

## Assignment For Published Patent Application

Cleveland Clinic Foundation, Cleveland, OH;

## Domestic Priority data as claimed by applicant

This appln claims benefit of 60/391,260 06/24/2002  
and claims benefit of 60/391,261 06/24/2002

## Foreign Applications

If Required, Foreign Filing License Granted: 09/17/2003

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

\*\* SMALL ENTITY \*\*

**Title**

Neuromodulation device and method of using same

**Preliminary Class**

604

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).